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9 Attorneys for Defendant
10 NOMINAL DEFENDANT COHERENT, INC.
11

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN JOSE DIVISION
15

16 IN RE COHERENT, INC. SHAREHOLDER)
DERIVATIVE LITIGATION)
17 _____)

18 This Document Relates to: ALL ACTIONS)
19)
20)
21)
22 _____)

LEAD CASE NO.: C-07-0955-JF

APPLICATION AND [PROPOSED]
ORDER FOR SUBSTITUTION OF
COUNSEL FOR COHERENT, INC.

1 Nominal Defendant Coherent, Inc. (“Coherent”) requests an order permitting the law firm
2 of Wilson Sonsini Goodrich & Rosati (“WSGR”) to withdraw as Coherent’s counsel of record in
3 the above-captioned matter and the law firm of Orrick, Herrington & Sutcliffe LLP (“Orrick”) to
4 substitute as counsel of record for Nominal Defendant Coherent by and through its Special
5 Litigation Committee, which has been authorized by Coherent’s Board of Directors to act for
6 Coherent in connection with these derivative actions.

7 Coherent, WSGR, and Orrick hereby consent to this substitution.

8 Coherent further requests that the Court make all necessary changes to the Court’s
9 records and ECF and direct all future communications in this case to Orrick, Herrington &
10 Sutcliffe LLP as counsel of record for Nominal Defendant Coherent, Inc. by and through its
11 Special Litigation Committee as follows:

12 MICHAEL D. TORPEY (STATE BAR NO. 79424)
13 ORRICK, HERRINGTON & SUTCLIFFE LLP
14 The Orrick Building
15 405 Howard Street
16 San Francisco, California 94105-2669
Telephone: (415) 773-5700
Facsimile: (415) 773-5759
Email: mtorpey@orrick.com

17 MICHAEL C. TU (STATE BAR NO. 186793)
18 ORRICK, HERRINGTON & SUTCLIFFE LLP
19 777 South Figueroa Street, Suite 3200
20 Los Angeles, California 90017-5855
Telephone: (213) 629-2020
Facsimile: (213) 612-2499
Email: mtu@orrick.com

21 Attorneys for Nominal Defendant Coherent, Inc.
22 by and through its Special Litigation Committee
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1 Dated: December 27, 2007

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

2
3 By: /s/ Caz Hashemi

4 Caz Hashemi

5 Attorneys for Nominal Defendant Coherent, Inc.

6
7 Dated: December 27, 2007

ORRICK, HERRINGTON & SUTCLIFFE LLP

9 By: /s/ Michael Tu

10 Michael Tu

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12 Attorneys for Nominal Defendant Coherent, Inc.
13 by and through its Special Litigation Committee

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15 **IT IS HEREBY ORDERED** that Orrick, Herrington & Sutcliffe LLP is substituted as
16 counsel of record for Nominal Defendant Coherent, Inc. by and through its Special Litigation
17 Committee.

18
19 Dated: 1/4/08

20
21 By: 

22 THE HONORABLE JEREMY FOGEL

1 ATTESTATION

2 I, Stephanie McMahon, am the ECF User whose identification and password are being
3 used to file APPLICATION AND [PROPOSED] ORDER FOR SUBSTITUTION OF
4 COUNSEL FOR COHERENT, INC. In compliance with General Order 45.X.B, I hereby attest
5 that Caz Hashemi and Michael Tu have concurred in this filing.
6

7 Dated: December 27, 2007

WILSON SONSINI GOODRICH & ROSATI

8
9 By: /s/ Stephanie McMahon
10 Stephanie McMahon

11 Attorneys for Nominal Defendant Coherent, Inc.
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